

1909-040 Chancery Causes: Robert L. Lamar vs. Mary Lamar
Lee Co.

CA-Divorce
T-Vices
Migration

To the Honorable H.A.W. Skeen, Judge of the Circuit Court of Lee County, Virginia,

Your orator Robt. L. Lamar, a citizen of this County, would respectfully show unto your Honor that on the ____ day of _____ 19____ he was married to one Mary Lamar, that for a time after said marriage he and the said Mary lived and co-habited together as husband and wife, that he was at all times considerate of her, and a kind and affectionate husband, providing for her a good and comfortable maintenance, as was suited to her condition in life; that some time after their said marriage the said Mary Lamar, without cause deserted and abandoned your orator and went to another state, that said desertion and abandonment was without his consent and against his will, and that same has continued for more than three years next preceding the institution of this suit. Your Orator has been informed that since the said Mary Lamar left this state that she has since intermarried with some other man whose name your orator does not now recall.

Your orator further alleges that he is a resident of the County of Lee and has been a resident of said County for more than one year before the institution of this suit.

The prayer therefore you of your orator is that the said Mary Lamar be made party defendant to this bill, that she be required to answer the same but not under oath as answer under oath is expressly waived, that order of publication be made, posted published and completed against the said Mary Lamar, she being a non-resident of this state, and that upon a final hearing that ~~the~~ the bonds of matrimony now and heretofore existing between your orator and the said Mary Lamar be dissolved, and that your orator be granted a divorce a vinculo matrimonii; and for full and complete general relief.

Duncan & Cridlie P.Q.

Robt. L. Laumar
vs. { In Chy Bell
Mary Laumar

1908 2nd Nov. Rules

Bill filed, Spc.
not executed Deft.
being a non-res-
ident & could for
O.P.

" First Dec Rules
O.P. completed &
cause set for
hearing.

Costs:

Clerk	\$6.30	Paid
Atty.	15.00	
Printer	6.00	
Comrs.	.75	
	<u>\$28.05</u>	

Robert L. LamarPlaintiff.

Vs.

In Chancery.

Mary Lamar.....Defendant.

This cause came on this day to be heard upon the bill of the complainant, the order of publication heretofore entered in said cause, the depositions of witnesses, and was argued by counsel.

And it appearing to the court that the order of publication heretofore made has been duly posted, published and completed for more than fifteen days before the 1st day of this term of the court, and that the depositions taken in this cause were not taken until after the completion of said order of publication. And it appearing to the court that the defendant Mary Lamar has without cause deserted her husband and has remained away from him without his consent for more than three years before the institution of this suit.

In consideration of all which it is adjudged, ordered and decreed that the bonds *of* matrimony heretofore and now existing between the said Robert L. Lamar and Mary Lamar be and the same are hereby dissolved. And it is further ordered that the clerk of this court, upon the application of the said Robert L. Lamar, furnish him a copy of this decree. And there remaining nothing further to be done in this cause it is stricken from the docket.

Robt. L. Lamar
vs. { In Chg.
Mary Lamar

Decree Final

Entered in C.C.B.
N.T. page 436 + c

Enter This Decree

Feb. 8 1909

J. C. W. Stinson

The depositions of Robert L. Lamar and Jack Lamar, taken at the office of Duncan & Gridlin in the Town of Jonesville, on the 1st day of February, 1909, before Jas. W. Orr, a Commissioner in Chancery of the Circuit Court of Lee County, Virginia, which depositions are intended to be read as evidence in behalf of the plaintiff in a suit in Chancery now pending in the Circuit Court of Lee County, Virginia, in which the said Robert L. Lamar is plaintiff and Mary Lamar is defendant. These depositions are taken after order of publication has been duly made, posted, and published for more than fifteen days prior to this time against the said Mary Lamar, she being a non-resident of the state of Virginia.

Present: Duncan & Gridlin, attorney for plaintiff, and no counsel for the defendant.

Robt. L. Lamar, a witness of lawful age being duly sworn deposes and says:

Q.1- Please state your age, residence and occupation?

Ans. I am twenty-seven years of age, reside near Ewing, Lee County, Virginia, and am a farmer.

Q.2- How long have you resided in Lee County, Virginia?

Ans. I have resided in Lee County for the last five years.

Q.3- Please state when and where you and the defendant were married to each other, if you were ever married?

Ans. We were married to each other nearly seven years ago in Hancock County, Tenn.

Q.4- How long did you live together and where is the said Mary now?

Ans. We lived together for nearly three years when ~~she~~ she abandoned me and went to Kentucky. I do not know where she is now, but I have heard that she now resides in Oklahoma.

Q.5- Why did she abandon you?

Ans. I do not know why she abandoned me, unless it was through the persuasion of her mother. I know I never gave her any cause for leaving me and I did everything I could to get her to ~~xxxxx~~ stay with

me. On the morning she left I tried to keep her from going and I tried to get her to promise to come back when I found she would go and she partially promised that she might do so in four or five days but she failed to return and she has never spoken to me since. I have, however, seen her twice since she left me at a distance. *We had one child, a boy about a year old, when she left. She seemed to care nothing for him and left him with me, and I still have him. She has not seen him for nearly four years.*
Q.6- Have you received information that she was married again, if so from whom have you received the information?

Ans. I have received such information. I heard it awhile before I instituted this suit for divorce. I received this information from members of her family, that is, the first information I received was from one of her cousins, who informed me that he had received a letter from her father that she was married again and had gone to Oklahoma where she resides, and I have heard the same thing several times since from different persons. After she left me I wrote to her and duly posted the letter and received no answer, nor was the letter returned to me.

Q.7. Where did you last live and co-habit together?

Ans. In Lee County, Virginia.

And further this deponent saith not.

R. L. Lamar

Jack Lamar, another witness of lawful age being duly sworn deposes and says:

Q. 1. State your age, residence and occupation?

Ans. I am twenty-one years old, live near Ewing, Virginia, and am a section man on the L&N. R. R.

Q.2. State what relationship, if any, you are to Robt. L. Lamar?

Ans. I am his brother.

Q.3- Are you acquainted with Robt. L. Lamar and did you know his wife, Mary Lamar?

Ans. I am acquainted with him and I knew Mary Lamar both before and after the marriage between them.

Q.4. What has become of the said Mary Lamar if you know?

Ans. Some two years and a half after the marriage between Robt. Lamar and the said Mary, she left him and went to her father's at Middlesboro, Kentucky. I have never seen her since she left him but have been informed that she married another man and removed to Oklahoma. I know she has never returned to Robert Lamar since she left him some five years ago. At the time she left her and Robert Lamar were living in Lee County, Virginia where the said Robert still resides.

And further this deponent saith not.

Jack Lamar

Virginia,

Lee County, to-wit:

I, Jas. W. Orr, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, do certify that the foregoing depositions of Robt. L. Lamar and Jack Lamar, were taken, sworn to and subscribed before me at the time, place, and for the purpose in the caption mentioned.

Given under my hand this the 1st day of February, 1909

James W. Orr
Commissioner in Chancery.

*Court fee 75 cts.
Paid by Plff.*

Robt. L. Lamar
vs. { In Chy.

Mary Lamar

Depositions of
R. L. Lamar
Jock Lamar

Court. fee 75 cts.

Filed Feb. 1, 1909

M. G. Ewing, Clerk.

In the Clerk's Office of the Circuit Court of the county of Lee, on the 4th

day of November, 1908

Robert L Lamar,

against

Plaintiff

In Chancery

Mary Lamar,

Defendant

The object of this suit is to obtain a divorce from the bonds of matrimony heretofore existing between the said Robert L Lamar and Mary Lamar because of the abandonment by the said Mary Lamar of the said Robert L. Lamar, her husband, and it appearing from an affidavit filed in the case that the defendant Mary Lamar is a non-resident of the state of Virginia.

And an affidavit having been made and filed that the defendant,

Mary Lamar,

is
a
^

not resident of the State of Virginia, it is ordered that she

do appear here within

fifteen days

after due publication hereof, and do what may be necessary to protect her

interest

in this suit. And it is

further ordered that a copy hereof be published once a week for four weeks in the

Jonesville

Star

and that a copy be posted at the front door of the Courthouse of this county as prescribed

by law.

A copy—Teste:

Duncan & Criddle p. q.

H. C. P. Ewing,

Clerk.

Robert L. Lamar

vs.

}

ORDER OF
PUBLICATION

Mary Lamar

Virginia, Lee County, to-wit:

I, H. C. Ewing, Clerk of
The Circuit Court for and in
the County and State aforesaid,
do certify that I posted a
true copy of the within or-
der of publication at the
front door of the Court-
house of said County on
this day.

Given under my hand,
this the 4th day of Nov-
ember, 1908.

H. C. Ewing,
Clerk.

Virginia, Lee County, to wit:
In the Clerk's Office of the Court of the

Robt. L. Lamar,

Plaintiff

against

Mary Lamar

Defendant

This day A. C. J. Richmond personally appeared
before me Geo. P. Cridlin, Comr. in Chy for Clerk of the said Court,
and being duly sworn, made oath that Mary Lamar

defendant in the said suit is not a resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 2 day of Nov 1908

Geo. P. Cridlin, Comr. in Chy.

Robt. L. Lamar

VS } AFFIDAVIT FOR ORDER
OF
PUBLICATION

Mary Lamar

Duncan & Criddle p. q.

Filed Nov. 4, 1908.

H. C. J. Ewing,
Clerk.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Mary Lamar

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *30th* Monday in *November*, 190*8*, to answer a bill in chancery exhibited against *her*

by Robert L. Lamar

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *4th*

day of *November*, 190*8*, and *33rd* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Robert L Lamar

VS

}

SUBPOENA
IN
CHANCERY

Mary Lamar

Duncan & Giddins p. q.

To

2nd Nov.

Rules

Lee Circuit

Court

1908

Order of Publication.

In the Clerk's Office of the circuit court
of the county of Lee, on the 4th
day of November, 1908.

ROBERT L. LAMAR, Plaintiff,
against

MARY LAMAR, Defendant.
In chancery.

The object of this suit is to obtain a divorce from the bonds of matrimony heretofore existing between the said Robert L. Lamar and Mary Lamar because of the abandonment by the said Mary Lamar of the said Robert L. Lamar her husband. And an affidavit having been made and filed that the defendant, Mary Lamar, is not a resident of the State of Virginia, it is ordered that she do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the courthouse of this county as prescribed by law.

A copy—Teste:

H. C. T. EWING, clerk.

DUNCAN & CRIDLIN, p. q.

Robert Lamon

vs

Dr Chancery

Mary Lamon



I, J. C. Batyler, editor
of The Jonesville Star, a weekly newspaper
published in the county of Lee, state of Virginia,
do hereby certify that the enclosed notice was
published in said paper once a week for four
successive weeks, commencing on the 5th
day of Nov 1908

J. C. Batyler, Editor.

FEE \$ 6.00